

IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF PENNSYLVANIA

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MLEA, INC., as successor in interest to	:	CIVIL ACTION
Engineered Gas Systems, LLP and	:	
Main Line Engineering Associates,	:	NO. 02 CV 4393
Plaintiff,	:	
v.	:	The Honorable James McGirr Kelly
	:	
ATLANTIC RECYCLED RUBBER INC. and	:	
RECOVERY TECHNOLOGIES GROUP INC. and	:	
CASELLA WASTE SYSTEMS, INC.,	:	
	:	
Defendants.	:	

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**STIPULATION FOR EXTENSION OF PRETRIAL DEADLINES**

Plaintiff, MLEA, Inc., and Defendants, Atlantic Recycled Rubber Inc. (“ARR”), Recovery Technologies Group Inc. (“RTG”) and Casella Waste Systems, Inc. (“Casella”), file this Stipulation for Extension of Pretrial Deadlines, and in support thereof, state the following:

1. Plaintiff commenced this action with the filing of a Complaint on July 2, 2002. On September 19, 2002, defendants RTG and ARR answered Plaintiff’s Complaint and asserted a Counterclaim. On September 19, 2002, defendant Casella answered plaintiff’s Complaint.
2. Prior to incurring the costs associated with discovery, the parties attempted in good faith to resolve the disputes between them. On March 14, 2003, the parties participated in mediation before the Honorable Louis C. Bechtle through ADR Options, Inc. As a result of the mediation, the parties requested, and this Court approved (1) Stipulation to amend the October 26, 2003 Preliminary Conference and Scheduling Order to extend fact discovery to July 29, 2003 and more recently (2) a Stipulation to extend fact discovery to September 29, 2003.

3. Although negotiations between the parties have continued until recently, at present the parties are at an impasse.

4. Nevertheless, the parties have been diligently conducting discovery. Plaintiff responded to Casella's interrogatories and document requests on August 1, 2003.

5. Defendants have taken the depositions of two MLEA witnesses, Mr. Menendez on August 15, and Mr. DelGaizo on August 22<sup>nd</sup>. The final deposition of an MLEA witness, Mr. Timberlake, is scheduled for September 10<sup>th</sup>.

6. Plaintiff produced supplemental documents to Casella on August 7, 2003.

7. On August 7, 2003, Plaintiff noticed the depositions of Rule 30(b)(6) witnesses for each Defendant. Dates for those depositions, and the depositions of other of Defendants' individual witnesses, are being discussed among counsel. Each of Defendants' deponents reside out-of-state or in Canada, and business travel schedules have conflicted with proposed deposition dates.

8. ARR's and RTG's responses to Plaintiff's document requests are due on September 8, 2003.

9. Casella will be producing supplemental documents to Plaintiff on September 15, 2003.

10. Until the afternoon of September 4, 2003, counsel for Casella was scheduled to start a trial on September 15, 2003 in the Superior Court of New Jersey, Gloucester County. That case has been settled in principle.

11. Counsel for Plaintiff is scheduled to start a trial on September 22, 2003, in Chester County Court of Common Pleas, and counsel has been and will be engaged in trial preparation activities.

12. Counsel for the parties do not anticipate that any further discovery extensions will be necessary.

13. Counsel for the parties agree that a thirty (30) day extension of time is necessary to allow the parties to complete discovery and hereby request that this Court approve this Stipulation to extend the discovery deadline for a period of thirty (30) days until October 29, 2003.

WHEREFORE, Plaintiff, MLEA, Inc., and Defendants, Atlantic Recycled Rubber Inc., Recovery Technologies Group Inc. and Casella Waste Systems, Inc. file this Stipulation seeking an extension of the pretrial deadlines for thirty (30) days.

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Dated: September 9, 2003

Dated: \_\_\_\_\_

APPROVED: \_\_\_\_\_  
James McGirr Kelly, J.